

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SYED K. HASAN,

Plaintiff,

v.

SLM CORP.,

Defendant.

Civil Action No. _____

[On removal from the West Roxbury
District Court of the Commonwealth of
Massachusetts, Civil Action No.
14CV000549]

NOTICE OF REMOVAL

**TO THE JUDGES OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS:**

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant Navient Solutions, Inc. (“Navient”) (formerly known as Sallie Mae, Inc., which plaintiff has incorrectly identified in his complaint as SLM Corp.) hereby gives notice of removal of the civil action styled *Syed K. Hasan v. SLM Corp.*, Civil Action No. 14CV000549, from the West Roxbury District Court of the Commonwealth of Massachusetts, to the Eastern Division of the United States District Court for the District of Massachusetts. In support of this Notice of Removal and in accordance with 28 U.S.C. § 1332, Navient attaches as Exhibit A a copy of all process and pleadings served upon it and states as follows:

I. TIMELINESS OF REMOVAL

1. Mr. Hasan commenced this action by filing a complaint against Navient in the West Roxbury District Court of the Commonwealth of Massachusetts on or about July 16, 2014.

The parties have agreed that service was effectuated on October 29, 2014.¹ This Notice of Removal is therefore timely. 28 U.S.C. § 1446(b).

II. JURISDICTION AND GROUNDS FOR REMOVAL

2. The Court has diversity jurisdiction over this action because the amount in controversy exceeds \$75,000 exclusive of interests and costs, and there is complete diversity of citizenship between the named parties. *See* 28 U.S.C. § 1332(a). This action is therefore removable pursuant to 28 U.S.C. § 1441.

A. Diversity of Citizenship

3. Mr. Hasan is a citizen of Massachusetts. *See Exhibit A*, Complaint (at signature block as well as address on attached loan documents).

4. Navient is a Delaware corporation with a principal place of business in Reston, Virginia.

5. There is thus complete diversity of citizenship between the parties.

B. Amount in Controversy

6. The amount in controversy in this action exceeds \$75,000, exclusive of interest and costs.

7. Mr. Hasan alleges in the Complaint that he “seeks damages from SLM Corp for using illegal and deceptive market practices in student loan application(s)” in violation of “The Commonwealth of Massachusetts Consumer Protection Act; Massachusetts General Laws, Chapter 93A, Section 9, the Consumer Protection Act and 940 CMR 7.00: Debt Collection Regulations.” *Id.* at 1. He seeks damages in the amount of \$3 million. *Id.* at 3. In addition to monetary damages, Mr. Hasan demands that the accounts in question be removed from his credit files. *Id.*

¹ The Complaint, at the time it was served, was unaccompanied by a summons.

III. REMOVAL TO THIS COURT IS PROPER

8. Because this case was initially filed in the West Roxbury District Court of the Commonwealth of Massachusetts, the Eastern Division of the United States District Court for the District of Massachusetts is the proper Court to which removal should be effected, as required for removal under 28 U.S.C. §§ 1441(a) and 1446(a).

VI. NOTICE

9. Copies of this Notice of Removal will be served on Mr. Hasan and filed with the Clerk of Court of the West Roxbury District Court of the Commonwealth of Massachusetts in satisfaction of 28 U.S.C. § 1446(d).

WHEREFORE, Defendant Navient Solutions, Inc. respectfully requests that this action, now pending in the West Roxbury District Court of the Commonwealth of Massachusetts, be removed to the United States District Court for the District of Massachusetts, Eastern Division.

Respectfully submitted,

NAVIENT SOLUTIONS, INC.,

By its Attorney,

/s/ John T. Graff
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Boston, Massachusetts 02110
(617) 348-4300

Dated: November 18, 2014

CERTIFICATE OF SERVICE

I, John T. Graff, hereby certify that a true copy of the foregoing document was served by mail on plaintiff Syed K. Hasan, 307 Blue Jay Circle, Boston, MA 02126 on November 18, 2014.

/s/ John T. Graff

John T. Graff